



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,777	12/01/2000	Hitoshi Sato	Y-176	8078

7590 06/27/2002  
Dellett & Walters  
Suite 1101  
310 SW Fourth Avenue  
Portland, OR 97204

EXAMINER

MOUTTET, BLAISE L

ART UNIT	PAPER NUMBER
----------	--------------

2853

DATE MAILED: 06/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/701,777

Applicant(s)

SATO, HITOSHI

Examiner

Blaise L Mouttet

Art Unit

2853

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 June 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see attachment.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-12.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_.

***Response to Amendment***

The applicant has proposed an after-final amendment to the claims in order to overcome the applied rejections.

The applicant has proposed to amend claim 1 to include the additional limitation that said recording method is performed while operating said recording head in a single pass recording mode.

The examiner agrees that this amendment to claim 1 would overcome the applied rejection. However, since this limitation was not previously claimed, this new limitation requires additional searching and consideration to be performed by the examiner and thus the proposed amendment to claim 1 is not appropriate for entry at this time.

The applicant has proposed to amend claim 7 to include the limitation that the recording head is moved in a single pass recording mode.


The examiner disagrees that this amendment would overcome the applied rejection to claim 7 since the proposed amendment does not tie together the function of the interpreter and the pattern changing means with the limitation that the recording head is utilized in a single pass recording mode. As in the applied rejection Miller et al. provides the limitations drawn to the interpreter and pattern changing means while Albosta et al., as applied to claim 12, teaches the advantages of utilizing a single pass printing mode during printing. As explained in the applied rejection, one of ordinary skill in the art at the time of the invention would have recognized that the separate advantages of utilizing the interpreter and pattern changing means as taught by Miller et

Art Unit: 2853

al. and utilizing a single pass printing mode as taught by Albosta et al. in the same printing apparatus albeit the separate steps may be performed at separate times. Since applicant has failed to claim any synthesis between the two steps (i.e. utilizing the interpreter and pattern changing means during the single pass printing mode) the applied rejection of claim 12 would still meet applicant's proposed amendment to claim 7.

Blaise Mouttet June 25, 2002

Bm 6/25/2002

  
John Barlow  
Supervisory Patent Examiner  
Technology Center 2800